

JTW 04.24.23
PCM USAO#2023R00291

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

 GARRICK POWELL,

Defendant

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CRIMINAL NO. JRR-23-0146

(Possession of Ammunition by a
Prohibited Person, 18 U.S.C.
§ 922(g)(1); Unlawful Possession of
Machinegun, 18 U.S.C. § 922(o);
Forfeiture, 18 U.S.C. § 924(d), 28
U.S.C. § 2461(c) and 26 U.S.C. § 5872)

INDICTMENT

COUNT ONE

(Possession of Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland charges that:

On or about April 19, 2023, in the District of Maryland, the defendant,

GARRICK POWELL,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, that is, 21 rounds of CCI 9mm ammunition; 5 rounds of Winchester 9mm ammunition; 5 rounds of Hornady 9mm ammunition; 27 rounds of Remington 9mm ammunition; one round of Eldorado Cartridge Corporation 9mm ammunition; 3 rounds of Federal 9mm ammunition; and one round of Sellier and Bellot 9mm ammunition; and the ammunition was in and affecting commerce.

18 U.S.C. § 922(g)

COUNT TWO

(Unlawful Possession of a Machinegun)

The Grand Jury for the District of Maryland charges that:

On or about April 19, 2023, in the District of Maryland, the defendant,

GARRICK POWELL,

did knowingly possess a machinegun, as that term is defined in 26 U.S.C. § 5845(b); that is, a Polymer 80 9mm handgun with a conversion device attached, in violation of Title 18, United States Code, Section 922(o) and 924(a)(2).

18 U.S.C. § 922(o)

26 U.S.C. § 5845(b)

18 U.S.C. § 924(a)(2)

FORFEITURE

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the Defendant that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), in the event of the Defendant's conviction.

Firearms and Ammunition Forfeiture

2. Upon conviction of any offense(s) alleged in Counts One and Two, the Defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the offense(s).

Property Subject to Forfeiture

3. The property to be forfeited includes, but is not limited to, the following:

- a. Polymer 80 9mm handgun;
- b. A conversion device; and
- c. Approximately 63 rounds of 9mm ammunition.

Substitute Assets

4. Pursuant to 21 U.S.C. § 853(p), if any of the property described above as being subject to forfeiture, as a result of any act or omission by the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been comingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the Defendant up to the value of the property charged with forfeiture in the paragraphs above.

18 U.S.C. § 924(d)
21 U.S.C. § 853(p)
28 U.S.C. § 2461(c)
26 U.S.C. § 5872

Erek L. Barron / pem
Erek L. Barron
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED

Foreperson

4/24/2023
Date